



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Robert D. Palmquist	Confirmation No.	8120
Serial No.:	10/026,293	Customer No.:	28863
Filed:	December 21, 2001	Examiner:	Patrick Nestor Edouard
Docket No.:	1011-001US01	Group Art Unit:	2654
Title:	NETWORK-BASED TRANSLATION SYSTEM		

CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Post Service, as First Class Mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on July 26, 2004.

By: Angela Watson
Name: Angela Watson

DECLARATION UNDER 37 C.F.R. 1.131

Commissioner for Patents
Washington, D.C. 20231

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Technology Center 2600

I, Robert D. Palmquist, declare as follows:

1. I am named inventor in above-referenced patent application serial no. 10/026,293.
2. I am an employee of Speechgear, Inc, the assignee of the above-referenced patent application.
3. As evidenced by this Declaration and the Exhibit referenced by this Declaration, I conceived the inventions set forth in claims 1-10 and 12-39 of this application prior to December 2001, and worked diligently with my attorney in preparing a patent application with from prior to December 2001 to the filing date of this application on December 21, 2001.

Conception

4. Exhibit A, attached to this Declaration, contains a document that was prepared prior to December 2001.

5. Exhibit A provides evidence of my conception of the inventions set forth in claims 1-10 and 12-39 prior to December 2001.

6. Exhibit A is a draft of the patent application that describes my work in conceiving a method and system for translating text within an image over a network. Exhibit A is titled "Network-Based Translation System." At page 15, lines 4-5, Exhibit A refers to the invention as providing "techniques for translation of written languages using a network." At page 3, lines 17-19, Exhibit A indicates that the translation process allows users to transmit "an image containing text in a first language over a network, and" receive "a translation of the text in a second language over the network." Exhibit A further states, at page 6, lines 22-24, that a "user may edit captured images using an editing tool" to preserve the text of interest while removing extraneous material. Also, at page 6, lines 2-3, Exhibit A states that "the invention encompasses components coupled wirelessly" and, at page 5, lines 6-9, describes a cellular phone as providing a communication interface with the network, thus implying wireless communications. At page 8, line 20-21, Exhibit A further states that the client device displays "the translation along with the image." Additionally, FIGS. 1-5 in the accompanying drawings illustrate a client-side device for translating text within an image over a network. FIG. 1 also illustrates a system for translating text within an image over a network. FIG. 6 illustrates exemplary operation of the system depicted in FIG. 1 translating text within an image over a network.

7. In view of the content of Exhibit A, including the passages discussed above, it is clear that I conceived and was in possession of the inventions defined by claims 1-10 and 12-39 prior to December 2001.

With respect to claims 1, 10, 12, 16, 20-22, 26, 27, 29, 31 and 34, for example, Exhibit A contemplates translating text within an image over a network via a wireless connection. For example, Exhibit A describes an image capture device, such as a digital camera, for obtaining an

image containing text in a first language. Exhibit A describes sending the image through the network to a remote server for translation of the text within an image and receiving a translation from the remote server. As described in Exhibit A, the image may be sent using a cellular phone or integrated wireless transceiver. The remote server is described throughout Exhibit A as including an optical character recognition module to identify the text within the image. Exhibit A describes the network as including, for example, a cellular telephone network, the public switched telephone network, an integrated digital services network, a satellite network, the Internet, or a combination thereof. A satellite network and cellular phone network are exemplary wireless networks. Accordingly, as demonstrated by Exhibit A, I conceived the inventions of claims 1, 10, 12, 16, 20-22, 26, 27, 29, 31 and 34 prior to December 2001.

With respect to claims 2, 19, 28, 33 and 39, Exhibit A contemplates editing an image before transmitting it through the network for translation. Exhibit A refers to the ability of a user to edit the captured image using some sort of editing tool in order to isolate the text of interest. Exhibit A describes, for example, lassoing or drawing a box around the desired text. Accordingly, as demonstrated by Exhibit A, I conceived the inventions of claims 2, 19, 28, 33 and 39 prior to December 2001.

With respect to claims 3, 4, 17, 18, 32, 35, and 37, Exhibit A describes displaying of the image and the translation. For example, Exhibit A describes the client-device as including a display on which the image and the translation may be displayed simultaneously. Accordingly, as demonstrated by Exhibit A, I conceived the inventions of claims 3, 4, 17, 18, 32, 35, and 37 prior to December 2001.

With respect to claims 6-8 and 38, Exhibit A contemplates translation of multiple images via the remote server and network. Exhibit A describes beginning the translation process for one or more images in response to a command from the user. The translation process described may include storing a plurality of text-containing images and sending at least a portion of the images through the network to a remote server for translation. It is implicit that when the client-side device displays a translation, the displayed translation is one of the translations of the plurality of images sent for translation, as recited in claim 8. Accordingly, as demonstrated by Exhibit A, I conceived the invention of claims 6-8 and 38 prior to December 2001.

With respect to claim 9, Exhibit A describes compressing the image. Exhibit A describes compressing the image into, for example, a JPEG file for transmission. Accordingly, as demonstrated by Exhibit A, I conceived the inventions of claim 9 prior to December 2001.

With respect to claim 36, Exhibit A describes the client-side device as being a handheld device. Exhibit A describes the client-side device as being, for example, a cellular telephone, a personal digital assistant (PDA), or a handheld computer. Accordingly, as demonstrated by Exhibit A, I conceived the inventions of claim 36 prior to December 2001.

Diligence

8. From just prior to December 2001 to the filing date of this application, December 21, 2001, i.e., the date of my constructive reduction to practice, I worked with my patent attorney, Daniel J. Hanson, with reasonable diligence to prepare and finalize the draft of the patent application for the inventions set forth in claims 1-10 and 12-39. Upon my final review, we filed the application on December 21, 2001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 23 July 04

Signed: _____

Robert D. Palmquist